

App. No.: 10/009554
Filed: October 26, 2001

Page 4 of 4

REMARKS

In light of the Final Rejection and to advance the prosecution of this application, entry of the foregoing amendment is most respectfully solicited. This amendment incorporates the subject matter of claim 3 into claim 1 and therefore raises no new issue as claim 1 now constituted previous claim 3 in independent form. No other change is made.

Because of this amendment, in addition to claim 3, certain of the other claims not previously depending on claim 3 have, of necessity, been amended.

The Examiner has taken the position that claim 3 like claim 1 was anticipated by the combination of Alber in view of Telford. The Examiner argued that Alber showed all that was claimed but for the specific two stage operation of the planetary transmission. Applicant most respectfully disagrees. Alber does not have a single operator that operates both transmissions.

In Alber there is a single control that energizes each electric motor, but the wheels are not driven unless the rider of the chair engages each transmission individually by rotating the switching rings 51 to engage the transmissions as described at column 4 in the paragraph beginning at line 23. Thus there is not a single operator that selectively couples both electric motors to their respective wheels. Thus the occupant of the chair must himself couple the motors to the wheels after the motors have been switched on unlike applicants device where an attendant behind the chair can control the driving of both wheels.

In view of this substantial difference it is most respectfully submitted that entry of this amendment will leave only allowable claims in this application and favorable action to this end is most respectfully requested.

Respectfully submitted,
By:



Ernest A. Beutler
Registration No. 19901
10 Rue Marseille
(949) 7211182 Pacific Time